IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

J.K.J,

       Plaintiff,

    v.

POLK COUNTY SHERIFF'S DEPARTMENT,   Case No. 15-cv-428
DARRYL L. CHRISTENSEN,

          Defendants,

and

WISCONSIN COUNTY MUTUAL INSURANCE CORPORATION,

          Intervenor.

INTERVENOR WISCONSIN COUNTY MUTUAL INSURANCE CORPORATION'S MOTION FOR SUMMARY JUDGMENT

NOW COMES the Intervenor, Wisconsin County Mutual Insurance Corporation ("WCMIC"), by its undersigned attorneys, and pursuant to Rule 56 of the Federal Rules of Civil Procedure, moves the Court for an order granting summary judgment to Intervenor WCMIC on the grounds that there are no genuine issues of material fact and Intervenor WCMIC is entitled to judgment as a matter of law.

More specifically, Intervenor WCMIC requests that the Court enter a declaratory judgment finding and declaring:

1.   There is no insurance coverage available to Defendant Darryl L. Christensen under the Public Entity Liability policies of insurance issued by WCMIC to Polk County for the actions of Defendant Darryl L. Christensen as asserted by Plaintiff in this action; and

2.   Intervenor WCMIC has no duty to defend or indemnify Defendant Darryl L. Christensen for any of the claims asserted by Plaintiff against Defendant Darryl L. Christensen in this action.

This Motion for Summary Judgment is supported by the accompanying Brief in Support of Intervenor WCMIC's Motion for Summary Judgment, the Affidavit of Lori M. Lubinsky, and the entire record on file in this matter.

WHEREFORE, Intervenor Wisconsin County Mutual Insurance Corporation respectfully requests the Court grant its Motion for Summary Judgment, enter the above-referenced declarations, and award Intervenor WCMIC its costs and such other relief the Court deems just and equitable.

Dated this 10th day of June, 2016.

s/ Lori M. Lubinsky
Attorneys for Intervenor
  Wisconsin County Mutual Ins. Corporation
AXLEY BRYNELSON, LLP
P.O. Box 1767
Madison, WI 53701-1767
Telephone: (608) 257-5661
Fax: (608) 257-5444
Email: llubinsky@axley.com

\\axleyserver2\axley\EAFDATA\2961\74780\01972010.DOCX